

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 3393

AN ORDINANCE authorizing and providing for the acquisition of interests in land for the purpose of improving a portion of Northup Way between 140th Ave. N.E. and 148th Ave. N.E. within the City of Bellevue; providing for condemnation, appropriation, taking and damaging of land and property rights necessary therefor; providing for the cost thereof and directing the initiation of appropriate proceedings in the manner provided by law for said condemnation.

WHEREAS, the City Council has, by Resolution 4030, authorized construction of Phase IA of the planned improvements to Northup Way; and

WHEREAS, the improvements are necessary both for the repair of the existing roadway and to provide needed curbs, gutters, sidewalks, lighting, signalization and left turn protection; and

WHEREAS, the City has reviewed the project pursuant to the State and Federal Environmental Policy Acts, has made a thorough study of the environmental impacts of its elements, and the City Council has determined the planned improvements to be in the public interest; and

WHEREAS, the City Council has, by Ordinance No. 3378 and Ordinance No. 3390, already initiated condemnation of parcels required for improvement of an adjoining portion of Northup Way; and

WHEREAS, the City Council finds that the public health, safety, necessity and convenience demand that said project be undertaken and that in order to carry out the project it is necessary at this time for the City to acquire interests and rights to the properties described herein; and

WHEREAS, abutting property will be specially benefited by this project and should be assessed for a portion of its cost; and

WHEREAS, negotiations for one of the necessary parcels between 140th Avenue N.E. and 148th Avenue N.E. have been unsuccessful; and

WHEREAS, the City Council finds and declares it necessary and in the best interest of the public that interests in the land and property rights hereinafter described be condemned, appropriated, taken and damaged for public use, subject to the making or paying of just compensation to the owners thereof in the manner provided by law; now, therefore,

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. The lands and property rights within the City of Bellevue, King County, Washington, described on the attached Exhibit A, necessary for public road purposes, are hereby condemned, appropriated, taken and damaged for such public purposes, subject to the making or paying of just compensation to the owners thereof in the manner provided by law.


Section 2. The cost and expense of acquiring said property rights shall be paid for in part by special assessment upon property benefited, and from other monies the City may have available or obtain therefor.

Section 3. The City Attorney is hereby authorized and directed to undertake proceedings provided by law to condemn, appropriate, take and damage the land and property necessary to carry out the provisions of this ordinance, all in accordance with law.

Section 4. This ordinance shall take effect and be in force five days after its passage and legal publication.


PASSED by the City Council this 16th day of July, 1984, and signed in authentication of its passage this 16th day of July, 1984.

(SEAL)

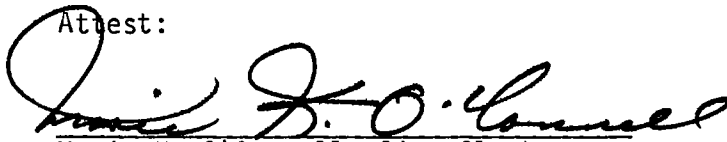

Cary E. Bozeman, Mayor

Approved as to form:

Richard L. Andrews, Acting City Attorney


Scott McKee, Assistant City Attorney

Attest:


Marie K. O'Connell, City Clerk

Published July 21, 1984

Parcel No. PW-N1610

Fee Simple

Legal Description

That portion of the North half of the Southeast quarter of the Northeast quarter of Section 27, Township 25 North, Range 5 East, Willamette Meridian, described as follows:

Commencing at the Northeast corner of said subdivision: thence South $01^{\circ}19'20''$ West along the East line of said subdivision, 42.00 feet; thence North $88^{\circ}14'10''$ West parallel with the North line of said subdivision 752.20 feet to the TRUE POINT OF BEGINNING; thence from said TRUE POINT OF BEGINNING, at right angles South $01^{\circ}45'50''$ West 6.00 feet; thence North $88^{\circ}14'10''$ West 60.00 feet; thence North $01^{\circ}45'50''$ East 3.00 feet; thence North $88^{\circ}14'10''$ West 160.00 feet; thence South $01^{\circ}45'50''$ West 3.00 feet; thence North $88^{\circ}14'10''$ West 30.00 feet; thence North $01^{\circ}45'50''$ East 6.00 feet; thence South $88^{\circ}14'10''$ East 250.00 feet to the TRUE POINT OF BEGINNING and containing 1,020 square feet, more or less.

Parcel No. PW-N1610A

Slope Easement

Legal Description

That portion of the North half of the Southeast quarter of the Northeast quarter of Section 27, Township 25 North, Range 5 East, Willamette Meridian, described as follows:

Commencing at the Northeast corner of said subdivision: thence South $01^{\circ}19'20''$ West along the East line of said subdivision, 42.00 feet; thence North $88^{\circ}14'10''$ West parallel with the North line of said subdivision 677.20 feet to the TRUE POINT OF BEGINNING; thence from said TRUE POINT OF BEGINNING, at right angles South $01^{\circ}45'50''$ West 5.00 feet; thence North $88^{\circ}14'10''$ West 50.00 feet; thence South $01^{\circ}45'50''$ West 15.00 feet; thence North $88^{\circ}14'10''$ West 300.00 feet; thence North $01^{\circ}45'50''$ East 5.00 feet; thence North $88^{\circ}14'10''$ West 75.00 feet; thence North $01^{\circ}45'50''$ East 8.00 feet; thence North $88^{\circ}14'10''$ West 25.00 feet thence North $01^{\circ}45'50''$ East 7.00 feet; thence South $88^{\circ}14'10''$ East 125.00 feet; thence South $01^{\circ}45'50''$ West 6.00 feet; thence South $88^{\circ}14'10''$ East 30.00 feet; thence North $01^{\circ}45'55''$ East 3.00 feet; thence South $88^{\circ}14'10''$ East 160.00 feet; thence South $01^{\circ}45'50''$ West 3.00 feet; thence South $88^{\circ}14'10''$ East 60.00 feet; thence North $01^{\circ}45'55''$ East 6.00 feet; thence South $88^{\circ}14'10''$ East 75.00 feet and containing 6,530 square feet, more or less.

Parcel No. PW-N1610B

Construction Easement

Legal Description

That portion of the North half of the Southeast quarter of the Northeast quarter of Section 27, Township 25 North, Range 5 East, Willamette Meridian, described as follows:

Commencing at the Northeast corner of said subdivision: thence South $01^{\circ}19'20''$ West along the East line of said subdivision, 42.00 feet; thence North $88^{\circ}14'10''$ West parallel with the North line of said subdivision, 622.00 350.00 feet to the TRUE POINT OF BEGINNING; thence from said TRUE POINT OF BEGINNING South $01^{\circ}45'50''$ West 2.00 feet; thence North $88^{\circ}14'10''$ West parallel with the North line of said subdivision 45.00 feet; thence North $01^{\circ}45'50''$ East 2.00 feet; thence South $88^{\circ}14'10''$ East parallel with the North line of said subdivision 45.00 feet to the TRUE POINT OF BEGINNING, and containing 90 square feet, more or less.

Parcel No. PW-N1610C

Construction Easement

Legal Description

That portion of the North half of the Southeast quarter of the Northeast quarter of Section 27, Township 25 North, Range 5 East, Willamette Meridian, described as follows:

Commencing at the Northeast corner of said subdivision: thence South $01^{\circ}19'20''$ West along the East line of said subdivision, 42.00 feet; thence North $88^{\circ}14'10''$ West parallel with the North line of said subdivision, 350.00 feet to the TRUE POINT OF BEGINNING; thence from said TRUE POINT OF BEGINNING South $01^{\circ}45'50''$ West 6.00 feet; thence North $88^{\circ}14'10''$ West parallel with the North line of said subdivision 49.00 feet; thence North $01^{\circ}45'50''$ East 6.00 feet; thence South $88^{\circ}14'10''$ East parallel with the North line of said subdivision 49.00 feet to the TRUE POINT OF BEGINNING, and containing 294 square feet, more or less.

Situate in the City of Bellevue, County of King, State of Washington.